



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.02.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.3699 of 2022

Thonthiammal

... Petitioner

/Vs./

1.The Executive Engineer,
Generation and Maintenance,
TANGEDCO, Madurai East,
K.Pudur, Madurai.

2.The Assistant Engineer,
Rural / West,
TANGEDCO, Melur,
Madurai District.

3.Renganathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to provide an electricity connection to the petitioner's agricultural land in Survey No.202/2 situated at A.Vellalapatti village, Melur Taluk, Madurai District as per the ready intimation letter in Letter No.Se.Po/E.pa/East Madurai/ dated intimation letter/Go. No.2660/21 dated 24.12.2021.

For Petitioner : Mr.G.Kasinathadurai
For R1 & R2 : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to provide electricity service connection to the petitioner's agricultural land in Survey No.202/2 situated at A.Vellalapatti village, Melur Taluk, Madurai District, as per the Ready Intimation Letter dated 24.12.2021 and pass final orders, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that she is the absolute owner of the aforementioned agricultural land. She has applied for electricity service connection on 02.08.2007. It is also the case of the petitioner that the first respondent has issued a Ready Intimation Letter to the petitioner on 24.12.2021 willing to provide electricity service connection. But, according to the petitioner, till date, the official respondents have not given electricity



service connection to the petitioner's agricultural land. In such circumstances, she has filed this writ petition.

3.Heard Mr.G.Kasinathadurai, learned Counsel for the writ petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice on behalf of the respondents 1 and 2.

4.The learned Standing Counsel appearing for the first and second respondents, on instructions, would submit that since a suit has been filed by the third respondent with regard to the subject property, the official respondents are not able to give electricity service connection to the petitioner's agricultural land. The said statement is recorded.

5.However, this Court is of the considered view that no prejudice will be caused to the official respondents, if the petitioner's application seeking for electricity service connection for her aforementioned agricultural land, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the third respondent.

6.Accordingly, this Court directs the first respondent to consider the petitioner's application dated 02.08.2007 followed by her representation dated 10.02.2022 seeking for electricity service connection for her property, being agricultural land in Survey No.202/2 situated at A.Vellalapatti village, Melur Taluk, Madurai District, as per the Ready Intimation Letter dated 24.12.2021 and pass final orders, on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the third respondent, who is said to have filed a suit against the petitioner, which is still pending on the file of the trial Court, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

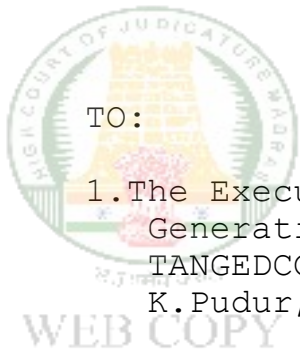
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/ /2022

Sub Assistant Registrar(CS)

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NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



TO:

1.The Executive Engineer,
Generation and Maintenance,
TANGEDCO, Madurai East,
K.Pudur, Madurai.

2.The Assistant Engineer,
Rural / West,
TANGEDCO, Melur,
Madurai District.

+1 CC to M/s.G.KASINATHA DURAI, Advocate (SR-9144[F] dated
01/03/2022)

W.P. [MD]No.3699 of 2022
28.02.2022

RD(11.03.2022) 3P 4C